UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,294	01/09/2001	Shinya Kimura	70551/55532	6805

21874 7590 04/21/2004

EDWARDS & ANGELL, LLP
P.O. BOX 55874
BOSTON, MA 02205

EXAMINER	
OSMAN, RAMY M	
ART UNIT	**PAPER NUMBER**
2157	7

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application	Applicant(s)	
	09/757,294	KIMURA ET AL.	
	Examiner	Art Unit	
	Ramy M Osman	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being unpatentable over Leung (U.S. Patent No. 6,621,810).

3. In reference to claim 1, Leung teaches a system comprising a server and a plurality of networks connected to said server (Summary and figure 1),

wherein each said network includes:

a mobile terminal that receives data and outputs the received data (column 1 line 35 – column 2 line 62, Leung discloses a mobile node),

a communication device that sends data received from said server to said mobile terminal wirelessly (column 1 line 35 – column 2 line 62, Leung discloses a foreign agent), and

a detection device that detects any said mobile terminal present within a range communicable with said communication device, said mobile terminal moving between said plurality of networks, and said mobile terminal having a primary assigned network set as its home network (column 1 line 35 – column 3 line 65 and column 5, Leung discloses a detecting

and registering the mobile node when it is within range of an agent as the mobile node moves between networks),

and wherein said server includes:

a communication circuit that communicates with the communication device and the detection device included in each said network (column 1 line 35 – column 2 line 62, Leung discloses a communication network),

a storage circuit that is connected to said communication circuit and that stores a management table including, for each said mobile terminal, information specifying the network in which said mobile terminal is currently located that is determined based on information received from said detection device and information specifying said home network (column 1 line 35 – column 2 line 62, column 7 line 14 – column 8 line 60 and figures 7a & 7b, Leung discloses a storage unit storing a mobility binding table tracking the location of the mobile node), and

a control circuit that is connected to said communication circuit and said storage circuit and that receives data and information indicating the mobile terminal as a destination of the data, and controls, based on the received information indicating the mobile terminal as the destination of the data and the information stored in said management table, such that said communication circuit sends said received data to said mobile terminal as the destination thereof (column 1 line 35 – column 2 line 62, Leung discloses routing packets to the mobile node based on information in the mobility binding table).

4. In reference to claim 2, Leung teaches the system of claim 1, wherein said detection device includes:

a first transmission circuit that transmits inquiry information to said mobile terminal to inquire whether it is within the range communicable with said communication device (column 3 and columns 5-7, Leung discloses a determining and registering the mobile node as it roams between networks),

a receiving circuit that receives in-zone information that is transmitted in response to said inquiry information by said mobile terminal that is present within the range communicable with said communication device (column 3 and columns 5-7, Leung discloses a determining and registering the mobile node as it roams between networks), and

a second transmission circuit that is connected to said receiving circuit and that transmits to said server, first identification information specifying said mobile terminal that transmitted said in-zone information and second identification information specifying the network in which said detection device is included (column 3 and columns 5-8, Leung discloses a determining and registering the mobile node and the network it is located in as it roams between networks),

wherein said storage circuit includes a circuit that stores a management table including, for each mobile terminal identified by the first formation, the second identification information received and the information specifying said home network (column 1 line 35 – column 2 line 62, column 7 line 14 – column 8 line 60 and figures 7a & 7b, Leung discloses a storage unit storing a mobility binding table tracking the location of the mobile node),

wherein said information indicating the mobile terminal as the destination of the data is represented by the first, identification information (column 1 line 35 – column 2 line 62, Leung discloses addressing a message to the IP address of a mobile node),

and wherein said control circuit includes:

a circuit that reads from said management table the second identification information corresponding to the first identification information received with said data (column 7 line 14 – column 8 line 60 and column 10 line 25 – column 11 line 67, Leung discloses reading from mobility binding table),

a circuit that compares the read second identification information and the information specifying said home network (column 7 line 14 – column 8 line 60 and column 10 line 25 – column 11 line 67, Leung discloses comparing with the home network), and

a circuit that controls, when the read second identification information and the information specifying said home network differs from each other, such that said communication circuit sends said received data to the communication device in the network identified by the read second identification information (column 3, column 7 line 14 – column 8 line 60 and column 10 line 25 – column 11 line 67, Leung discloses identifying when the mobile node is out of the home network and sending the message to the identified network).

5. In reference to claims 3 and 4, Leung teaches network system according to claim 1, wherein said server further includes a connect circuit that connects to another network, and

said server receives said data and the information indicating the mobile terminal as the destination of the data from a device connected to said another network, and wherein said another network is the Internet (column 1 line 35 – column 3 line 65, Leung discloses an agent connected to the Internet and receiving a message from a corresponding node also connected to the Internet).

6. Claims 5-24 do not teach any new limitations above claims 1-4 and are therefore rejected for the above mentioned reasons.

Conclusion

7. The prior art made of record and not relied upon is considered relevant and pertinent to applicant's disclosure.

- Patent No. US006587882B1
- Patent No. US006501767B1
- Patent No. US006549522B1
- Patent No. US006515974B1
- Patent No.US006430698B1
- Patent No. US006651105B1

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050. The examiner can normally be reached on Monday through Friday 9AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 305-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
April 9, 2004

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100